

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 23-cv-20100-5
Hon. Matthew F. Leitman

v.

D5, JOEL CURRY,

Defendant.

ORDER (1) TERMINATING APPEARANCES OF ATTORNEYS ROBERT J. DUNN AND MARTIN E. CRANDALL, (2) APPOINTING COUNSEL FOR DEFENDANT JOEL CURRY, AND (3) TERMINATING THE PLAINTIFF'S MOTION FOR INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST (ECF No. 156) AS MOOT

Up until this time, Defendant Joel Curry has been represented by attorney Robert J. Dunn. Dunn has been representing Curry on a *pro bono* basis. The Government previously raised concerns about whether Dunn was laboring under a conflict of interest in light of the fact that Dunn represented other Defendants in this action in other matters. The Government therefore filed a motion for an inquiry into Dunn's potential conflicts of interest. (*See* Mot., ECF No. 156.) In response to the Government's concerns, the Court appointed attorney Martin E. Crandall to independently advise Curry on the issues that the Government raised and on whether to seek the appointment of substitute counsel. (*See* Order, ECF No. 198.)

On May 20, 2024, the Court held a hearing to hear from Curry, Crandall, and Dunn. During that hearing, Curry told the Court that based on his consultations with Crandall, he wished to proceed with counsel other than Dunn.

Accordingly, for the reasons stated on the record during the May 20 hearing, **IT IS HEREBY ORDERED** as follows:

- The Appearance of attorney Robert J. Dunn on behalf of Curry is **TERMINATED**;
- The limited Appearance of attorney Martin E. Crandall on behalf of Curry is **TERMINATED**;
- The Federal Community Defender's Office is directed to assign an attorney from the CJA Panel to be appointed and substituted to represent Curry in this action; and
- Because the Court is appointing Curry conflict-free counsel, the Government's motion for an inquiry into potential conflicts of interest (ECF No. 156) is **TERMINATED AS MOOT**.

Finally, during the hearing, Curry indicated to the Court that he is independently exploring the possibility of securing counsel on his own. Curry said that that he could complete the process of exploring other counsel options by Friday, May 24, 2024. The Court **DIRECTS** that if Curry secures alternative counsel on his own, that counsel shall file a formal Appearance on the docket in this action by no later

than the close of business on **Tuesday, May 28, 2024**. If such an Appearance is filed, the Court will convene a status conference with Curry, that counsel, and appointed counsel.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: May 21, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 21, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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